

7:23-cv-00084

EXHIBIT 1



Whitaker Chalk
Swindle & Schwartz PLLC

301 Commerce Street, Suite 3500
Fort Worth, Texas 76102

Phone: 817.878.0500
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April 17, 2023

Via Certified Mail Return Receipt Requested and email to kblount@bcck.com

Mr. Kevin Blount, CEO
BCCK Engineering Incorporated
2500 N. Big Spring St, Suite 200
Midland, TX 79705

Client: Charis Engineering, LLC

Dear Mr. Blount,

I represent Charis Engineering, LLC (“Charis”). It has come to Charis’s attention that you, and others at BCCK Engineering (“BCCK”) have been contacting Targa Resources Corp. (“Targa”) regarding the Targa contract it recently awarded to Charis. Targa’s reports of BCCK’s statements are quite disturbing, are nothing more than unfounded accusations, and paint a picture of sour grapes over BCCK’s failure to win the contract. Specifically, we are aware that you and/or other representatives of BCCK have been making baseless accusations that Charis is “infringing BCCK patents,” or words to that effect without identifying which, if any, patents BCCK believes Charis to be infringing. Without specifically identifying what patents BCCK believes Charis to be infringing, your broad, unfounded accusations appear more as an effort to interfere with Charis’s contractual relationship with Targa – ostensibly in an effort to impede, or even steal, the contract that Charis won in a fair bidding process, away from Charis for your own benefit.

Charis is presently unaware of any BCCK patent or patents that its practices infringe. Charis has not, to its knowledge, infringed any BCCK patent, nor would it knowingly infringe any patent—whether owned by BCCK or anyone else. Charis deeply respects the intellectual property rights of other companies, including competitors. If BCCK has a basis for its accusations, rather than attempting to undermine Charis’s relationship with Targa, Charis would expect, and requests, that you inform Charis directly (through me) of your concerns regarding Charis’s technology, techniques, and methods as they relate to your as-yet unidentified patents, so Charis can evaluate BCCK’s claims and make a reasoned determination as to whether or not these broad, bald accusations have any merit.

As BCCK is well aware, the technology involved in Charis agreement with Targa relates to removing nitrogen gas from a methane gas stream. As of today, Charis is only aware of BCCK U.S. Patent Nos. 10,302,355 and 9,816,752, as unexpired patents that even remotely relate to the subject matter of the relationship between Charis and Targa. However, Charis is confident that the technology it is using to fulfill its obligations with Targa are well outside the scope of these patents. As stated earlier, if there are other patents you believe Charis may be infringing, please bring those

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to Charis's attention, rather than continuing with the vague, unsupported accusations you have levied against Charis by contacting Targa.

If BCCK refuses to provide Charis with such information, it will only further support a conclusion that you and BCCK intend only to tortiously interfere with Charis's contractual relationship with Targa. Further, your conduct to date may also give rise to business defamation, disparagement, and a violation of 15 U.S.C. § 1125 (Lanham Act § 43), which creates liability when a person or company makes a "false or misleading representation of fact, which...in commercial advertising or promotion, misrepresents the nature, characteristics, qualities, or geographic origin of...another person's goods, services, or commercial activities...." If you have any belief, good faith or otherwise, that Charis's performance under its agreement with Targa will infringe any patent BCCK owns, please let me know no later than Friday, April 21, 2023, by close of business.

In addition to Charis taking intellectual property rights seriously, it also takes seriously its reputation and business practices. If you do not immediately cease and desist contact with Targa in an effort to besmirch Charis, Charis will vigorously protect its business, clients, and reputation using all legal means at its disposal. I look forward to your response no later than this Friday, April 21, 2023.

Sincerely,



Decker A. Cammack